

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRYAN S.J. MALLINDINE,

Defendant.

Case No. 07-CR-20037-DT-03
HON. VICTORIA ROBERTS

SUPPLEMENT TO SENTENCING MEMORANDUM

NOW COMES the Defendant, Bryan S.J. Mallindine, by and through his attorney, Neil H. Fink, and in support of his request for a non-custodial sentence, Defendant respectfully directs this court's attention to United States v Kuhn on remand, 351 F.Supp. 2d 696 (E.D. Mich 2005).

Defendant respectfully urges that Judge Lawson's opinion may be helpful to this court in arriving at a just sentence.

Respectfully submitted:

s/Neil H. Fink

Neil H. Fink (P13430)
Attorney for Defendant
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Dated: March 3, 2009

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NEIL H. FINK, being first duly sworn, deposes and says that on the 3rd day of March, 2009, he served **Defendant's Supplement to Sentencing Memorandum** and this **Certificate of Service** upon:

Mark Chutkow
Assistant United States Attorney
211 West Fort Street, Suite 2001
Detroit, MI 48226-3211
(313) 226-9100
Mark.chutkow@usdoj.gov

I also certify that I will provide a courtesy copy to the Chambers of the Honorable Victoria Roberts, United States District Court Judge, and:

Lisa A. Fields
United States Probation
Theodore Levin Courthouse
231 W. Lafayette, Room 901
Detroit, MI 48226
(313) 226-9168

s/Neil H. Fink
Neil H. Fink (P13430)
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